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Dear Member of the House Committee on Education and the Workforce:

I write in strong opposition to the *Working Families Flexibility Act* (HR 1406). As Executive Director of Interfaith Worker Justice (IWJ), an organization that has engaged the religious community in support of justice for workers and working families since 1996, I am convinced that this bill is just bad for the American worker.

The *Working Families Flexibility Act* claims to give hourly workers more time with their families by allowing them, through an agreement with their employers, to choose paid time off as compensation for working more than 40 hours in one week ("comp time"). However, it does not guarantee workers access to their comp time when they actually need it. Overall, I believe HR 1406 would undermine the 40-hour workweek and provide unscrupulous employers the opportunity to steal wages.

By amending the time-and-a-half provisions of the Fair Labor Standards Act (FLSA), HR 1406 would undercut the 40-hour workweek. For 75 years the FLSA created a norm of a 40-hour workweek and the right for hourly workers to be paid at one-and-a-half times their regular rate when their workplaces demand longer hours. This overtime pay requirement creates a disincentive for employers to over work employees, and an incentive to hire additional workers and to create additional jobs. HR1406 would remove the disincentive of time and a half—and this change would benefit employers, not workers.

Additionally, the bill provides little protection for workers from employer abuse, misconduct, or bankruptcy. By not guaranteeing workers access to their "comp time," employers would have a financial incentive to push workers beyond their scheduled time, making family life much more complicated. Workers have no recourse if employers deny them time off, other than suing them in court. This bill would exasperate the already difficult situation that far too many workers face. Already in America, billions of dollars are stolen when employers pay less than minimum wage; refuse overtime pay; force workers to work off the clock; hold back final paychecks; misclassify employees as independent contractors; steal tips; and fail to pay workers at all.

I urge you to strongly oppose the *Working Families Flexibility Act*.

Sincerely,

Kim Bobo  
Executive Director  
Interfaith Worker Justice